

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

In re: S.S. BODY ARMOR I, INC. et al.) Chapter 11
 ,) Bk. No. 10-11255 CSS
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 Debtors.)
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 CARTER LEDYARD & MILBURN LLP,)
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 Appellant,)
)
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 v.) Civ. No. 18-349 GMS
)
 S.S. BODY ARMOR I, INC., et al.)
)
)
 Appellees.)
)
)
 CARTER LEDYARD & MILBURN LLP)
)
)
 Appellant,)
)
)
 v.) Civ. No. 18-634 GMS
)
 S.S. BOY ARMOR I, INC., et al.)
)
)
 Appellees.)

RECOMMENDATION

At Wilmington this **25th** day of **June, 2018**.

WHEREAS, pursuant to paragraph 2(a) of the Procedures to Govern
Mediation of Appeals from the United States Bankruptcy Court for this District dated
September 11, 2012, information was obtained from counsel for the parties through a
joint letter submissions to determine the appropriateness of mediation in these matters;

WHEREAS, no resolution occurred and further mediation at this stage

would not be a productive exercise, a worthwhile use of judicial resources nor warrant the expense of the process.

Because the first appeal in 18-349-GMS was referred for mediation to Judge Fallon, the second appeal in the related matter, 18-634-GMS was also referred to Judge Fallon.

THEREFORE, IT IS RECOMMENDED that, pursuant to paragraph 2(a) Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), both matters 18-349 and 18-634 be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court. No objections are anticipated to this Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B), FED. R. CIV. P. 72(a) and D. DEL. LR 72.1.

Local counsel are obligated to inform out-of-state counsel of this Order.

/s/ Mary Pat Thyng
Chief U.S. Magistrate Judge Mary Pat Thyng